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B.A.
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PATENT

Customer No. 22,852
Attorney Docket No. 2514.0051-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Randolph M. HOWES) Group Art Unit: 1614
)
Application No.: 10/050,121) Examiner: Not yet assigned
)
Filed: January 18, 2002)
)
For: COMPOSITIONS, METHODS,)
APPARATUSES, AND SYSTEMS)
FOR SINGLET OXYGEN)
DELIVERY)

Commissioner for Patents
Washington, DC 20231

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached Form PTO-1449. To the undersigned's knowledge, this Information Disclosure Statement is being filed before the issuance of a first Office Action on the merits for this application. If the filing of this Statement does not precede the mailing of the first Office Action, the undersigned expressly authorizes the payment of any necessary fees to Deposit Account No. 06-0916.

Copies of the listed documents are attached. Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

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Applicant notes that Lebedev et al., "Regional Oxygenation in the Treatment of Severe Destructive Forms of Obliterating Diseases of the Extremity Arteries," *Vestn Khir Im I I Grek*, 132(3): 85-88 (1984); and Nagano, "Chemical and Biochemical Studies on Reactivities, Formations and Toxicities of Reactive Oxygen Species," *Yakugaku Zasshi*, 111(2): 103-119 (1991), listed on the Form PTO-1449, are non-English language documents. English language abstracts are provided herewith.

Applicant also attaches hereto a copy of a Communication Relating to the Results of the Partial International Search (i.e., Annex to Form PCT/ISA/206), and a related Invitation to Pay Additional Fees (i.e., Form PCT/ISA/206) mailed November 21, 2002, both from PCT International Application No. PCT/US02/00513, which is the PCT counterpart of this application. The documents listed on the Communication are provided herewith and listed on the Form PTO-1449. Applicant notes that JP 2000-193653 and DE 41 37 544 are non-English language documents, and that English language abstracts are provided for these.

Applicant also attaches hereto a copy of a PCT International Search Report (i.e., Form PCT/ISA/210), and a related Notification of Transmittal of the International Search Report or the Declaration (i.e., Form PCT/ISA/220) mailed January 20, 2003, both from the PCT International Application No. PCT/US02/00513. The PCT International Search Report lists the same documents as the Communication.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determines

that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 12, 2003

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